

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A radio data transmission method comprising:  
  
receiving information corresponding to a data amount of a buffer and a characteristic of data to be transmitted from a plurality of logical channels; and  
  
selecting data to transmit from one of the plurality of logical channels based at least on the data characteristic of each channel, wherein the data characteristic used to select data from one of the channels represents whether re-transmission data exists for a specific logical channel.
2. (Canceled)
3. (Currently Amended) The method of claim [[2]] 1, wherein the data characteristic comprises one of a True indication representing that the re-transmission data exists and a False indication representing that the re-transmission data does not exist.
4. (Original) The method of claim 1, further comprising sending the information from each of the logical channels to a transport channel.

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5. (Original) The method of claim 4, wherein sending the information comprises sending a MAC\_STATUS\_RESP Primitive.

6. (Original) The method of claim 5, wherein the MAC\_STATUS\_RESP Primitive includes information of the data characteristic.

7. (Original) The method of claim 6, wherein said MAC\_STATUS\_RESP Primitive further includes information representing an amount of re-transmission data.

8. (Currently Amended) ~~The method of claim 1~~ A radio data transmission method comprising:

receiving information corresponding to a data amount of a buffer and a characteristic of data to be transmitted from a plurality of logical channels; and

selecting data to transmit from one of the plurality of channels based at least on the data characteristic of each channel, wherein selecting the data comprises:

judging whether a logical channel includes re-transmission data; and

selecting one of the logical channels based on priority of the logical channel that includes the re-transmission data.

9. (Original) The method of claim 8, wherein judging whether the logical channel includes re-transmission data is based on one of a True indication and a False indication.

10. (Original) The method of claim 1, wherein selecting data is based on whether re-transmission data exist rather than by a priority of the logical channel.

11. (Original) A data transmission method comprising:  
selecting data of a specific logical channel based on priorities of logical channels and whether re-transmission data exists for each logical channel; and  
transmitting the selected data from the transport channel.

12. (Original) The method of claim 11, further comprising sending information from each of the logical channels to a transport channel, and the selecting of the data is performed by the transport channel.

13. (Original) The method of claim 12, wherein sending the information comprises sending a MAC\_STATUS\_RESP Primitive.

14. (Original) The method of claim 13, wherein the MAC\_STATUS\_RESP Primitive includes information regarding the existence of re-transmission data.

15. (Original) The method of claim 14, wherein the MAC\_STATUS\_RESP Primitive further includes information representing an amount of re-transmission data.

16. (Original) The method of claim 11, further comprising prioritizing a first logical channel having re-transmission data with a higher priority than a second logical channel without re-transmission data, and transmitting data of the first logical channel prior to transmitting data of the second logical channel.

17. (Original) The method of claim 11, wherein the selecting of data of the specific logical channel is performed based on priorities of corresponding logical channels if a plurality of logical channels include re-transmission data.

18. (Original) The method of claim 11, wherein the selection of the specific logical channel is performed based on priorities of each logical channel if logical channels do not include re-transmission data.

19. (Original) A method comprising:  
receiving information regarding data characteristics of a plurality of logical channels; and

selecting one of the logical channels based at least on the data characteristics of each of the logical channels, wherein the data characteristics represent whether re-transmission data exists for a specific logical channel.

20. (Canceled)

21. (Original) The method of claim 19, further comprising sending the information from each of the logical channels to the transport channel.

22. (Original) The method of claim 19, wherein selecting one of the logical channels comprises:

judging whether a logical channel includes re-transmission data; and

selecting one of the logical channels based on priorities of the logical channels that include the re-transmission data.

23. (Original) A device to transmit data comprising:

a plurality of logical channels each to transmit information regarding a data characteristic of the respective logical channel; and

a transport channel to select one of the logical channels based at least on the data characteristic of the selected logical channel, wherein the transport channel judges whether the

logical channels include re-transmission data and the transport channel selects one of the logical channels based on priorities of the logical channels that include the re-transmission data.

24. (Original) The device of claim 23, wherein the data characteristic represents whether re-transmission data exists for the selected logical channel.

25. (Canceled)

26. (New) The method of claim 1, wherein the re-transmission data corresponds to data that was previously partially sent to a transport channel.

27. (New) The method of claim 8, wherein the re-transmission data represents data previously sent with data loss.